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FLOOR DEBATE

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seem not to be one of very much importance to a majority of the members of this Legislature, is in fact a matter of life and death for a number of businesses in Nebraska who find that they have capital improvements, who have always known that they've had capital improvements, upon property that was leased from the railroad some time over the past century. One of the things that is unique about these leases that many of the original leases were for great lengths of time, perhaps 99 years, some of which are coming due in this century. You'll find, if you talk to many of the people, that the value, particularly on those lines where the right of way has been abandoned and the lease is maintained or the other railroad property that's leased has been maintained in the ownership of the railroad or perhaps a holding company or branch line that there have been some interesting values placed upon that. And under current rules, current law, there's very little room, very little option for negotiating and that really it's quite difficult to move one of the concrete grain elevators that you see. So there's sort of a...quite a confrontational situation that exists out there, and I believe LB 435, certainly when we finish the amendment process, will provide a system that ought to result in fair treatment for all of the parties involved. So I do support the amendment to the amendment by Senator Dierks and on down the line on LB 435 with the other provisions. Thank you.

SPEAKER KRISTENSEN: Senator Beutler.

SENATOR BEUTLER: Senator Kristensen, members of the Legislature, I believe I'm going to support this bill; but it contains a number of novel and interesting ideas based essentially on the philosophy that there's an unequal bargaining power between parties. And on the basis of that unequal bargaining power, the government essentially should interfere by establishing some different legal standards and different legal process. And, as I mentioned at the beginning, I'm not necessarily against that at all, but I think it is important to explore why we're doing this because these mechanisms that you see in this bill I assure you are going to start to reappear in different relationships and maybe they should because they do affect the balance of power between lessors and lessees in a way that heretofore we have not done, I believe, in this state.